

Michael R. McDonald, Esq.

Jeffrey A. Palumbo, Esq.

GIBBONS P.C.

One Gateway Center

Newark, New Jersey 07102

(973) 596-4500

Attorneys for Defendants

Computer Telephony Innovations, Inc.,

VoxTeleSys LLC, Patrick Burke, and Bruce Burke

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

RICHARD M. ZELMA and NICOLE
ZELMA

Plaintiffs,

v.

PATRICK BURKE, individually; BRUCE
BURKE, individually, PATRICK BURKE,
as CEO of Computer Telephony Innovations,
Inc.; BRUCE BURKE, as Chairman and
Senior Officer of Computer Telephony
Innovations, Inc.; and COMPUTER
TELEPHONY INNOVATIONS, INC. d/b/a/
VOXTELESYS.COM

Defendants.

Civil Action No. 16-02559 (CCC) (MF)

Document electronically filed

**DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' COMPLAINT PURSUANT
TO FED. R. CIV. P. 12(b)(6)**

TO: Richard M. Zelma, *Pro se*
940 Blanch Avenue
Norwood, New Jersey 07648

Nicole Zelma, *Pro se*
114 Fleetwood Road
Dumont, New Jersey 07628

COUNSEL:

PLEASE TAKE NOTICE that, on June 20, 2016, or a date and time to be set by the
Court, Defendants Computer Telephony Innovations, Inc. ("CTI"), VoxTeleSys LLC
("VoxTeleSys") (improperly pled as "Computer Telephony Innovations, Inc. d/b/a

VoxTeleSys.com"), Patrick Burke, and Bruce Burke (collectively, "Defendants"), by and through their attorneys, Gibbons P.C., shall move for the entry of an order dismissing Plaintiffs' Complaint Pursuant to Fed. R. Civ. P. 12(b)(6).

PLEASE TAKE FURTHER NOTICE that, in support of the within motion, Defendants shall rely upon the Brief in Support of the Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6), and Declarations of Patrick Burke and Bruce Burke, and upon the pleadings and all prior proceedings in the above-captioned action.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that a certificate attesting to the date and manner of service of these moving papers is submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Dated: May 27, 2016

By: s/ Michael R. McDonald, Esq.

Michael R. McDonald, Esq.

Jeffrey A. Palumbo, Esq.

GIBBONS P.C.

One Gateway Center

Newark, New Jersey 07102

Phone: (973) 596-4500

Facsimile: (973) 639-6295

mmcdonald@gibbonslaw.com

jpalumbo@gibbonslaw.com

*Attorneys for Defendants
Computer Telephony Innovations, Inc.,
VoxTeleSys LLC, Patrick Burke, and
Bruce Burke*